IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1498 OF 2004
IN
SUIT NO.2412 OF 2004

John Peter Fernandes .. Plaintiff.
V/s.
Saraswati Ramchandra Ghanate & Ors. .. Defendants.
AND
Deepak Laxmichand Thakkar & Anr. .. Applicants.

CORAM: S.J. VAZIFDAR, J.
DATE : 12TH OCTOBER, 2004.

P.C.:-

1. The learned Counsel appearing on behalf of the Plaintiff states that through inadvertence Defendant no.3 in the title is named as "Deepak Mirani" instead of "Deepak Laxmichand Thakkar". Leave to the Plaintiff to amend the Plaint accordingly. It is therefore not necessary to add Applicant no.1 as a party to the suit as he is already Defendant no.3. By consent, Applicant no.2 is added as Defendant no.4 to the suit. The above amendments shall be carried out within one week from today.

2. The Court Receiver shall not for a period of two weeks from today take possession of shop No.3 pursuant to the order

dated 30th August, 2004. This is to enable the Applicant to make an appropriate application for setting aside the order. Mr. Sarogi on taking instructions from the Applicant who is present in the Court gives an undertaking that he shall not dispose of, alienate, encumber, part with the possession of or create any third party right,title and/ or interest in respect of Shop 3 without the orders from this Court. Chamber Summons disposed of.

SD/-

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